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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,857	08/30/2001	Franco Montebovi	1076.40549X00	7547

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EXAMINER

CHOW, MING

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary****Application No.**

09/941,857

**Applicant(s)**

MONTEBOVI, FRANCO

**Examiner**

Ming Chow

**Art Unit**

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 August 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Objections***

1. Claim 5 recites the limitation "the display of previously visited homepages". There is insufficient antecedent basis for this limitation in the claim.

***Drawings***

2. The drawings are objected to because proper legends were missing. A proposed drawing correction or corrected drawings are required in reply to the Office Action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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3. Claim 12 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "to as to" (line 5) is not clearly defined. The Examiner cannot understand what it means.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2-4, 7, 8, 10, 12, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oosterholt et al (US: 2001/0008399).

Regarding claims 1, 7, 10, 12, 13, Oosterholt et al teach on section [0010], mobile phone (claimed "mobile telecommunications device").

Oosterholt et al teach on Fig. 1, item 202 of Fig. 2, Fig. 3, section [0017], using the cursor to click history means to display visited web pages and to click the history list for navigating selected web pages.

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Oosterholt et al failed to teach the clicking is performed by a same key. However, “Official Notice” is taken that using the same key (i.e., left key of a mouse) to trigger the cursor is old and well known to one skilled in the art.

It would have been obvious to one skilled at the time the invention was made to modify Oosterholt et al to have the clicking by the same key such that the modified system of Oosterholt et al would be able to support the system users convenience of clicking cursor by using the same key.

Regarding claim 2, Oosterholt et al teach on item 207 Fig. 2, backward means.

Regarding claim 3, Oosterholt et al teach on item 208 Fig. 2, forward means.

Regarding claim 4, the selection of history list for navigating a web page (claimed “first mode”) and the selection of history means for displaying visited pages (claimed “second mode”) are operated non-simultaneously. The period of operating the key (left key of a mouse) for each mode is a decide choice.

Regarding claim 8, Oosterholt et al teach on section [0010], PDA.

5. Claims 5, 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Oosterholt et al (US: 2001/0008399), and in view of Moriya et al (US: 6727891).

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The modified system of Oosterholt et al as stated in claim 1 above failed to teach “a scrolling key”. However, Moriya et al teach on column 1 line 7-8, column 3 line 48-64, scrolling a display by moving a cursor on a mobile telephone.

It would have been obvious to one skilled at the time the invention was made to modify Oosterholt et al to have the scrolling key such that the modified system of Oosterholt et al would be able to support the system users convenience of scrolling display.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oosterholt et al (US: 2001/0008399), and in view of Fascenda et al (US: 6304746).

The modified system of Oosterholt et al as stated in claim 1 above failed to teach “a further key”. However, Fascenda et al teach on column 3 line 49-50, column 8 line 11-17, selecting a page by using the return key on a wireless communication device.

It would have been obvious to one skilled at the time the invention was made to modify Oosterholt et al to have the further key as taught by Fascenda et al such that the modified system of Oosterholt et al would be able to support the system users convenience of selecting a page by a further key.

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oosterholt et al (US: 2001/0008399).

The modified system of Oosterholt et al as stated in claim 1 above failed to teach “a display of previously visited home pages”. However, whether a web page is a home page is a “decide choice”.

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It would have been obvious to one skilled at the time the invention was made to modify Oosterholt et al to have the home pages such that the modified system of Oosterholt et al would be able to support the system users convenience of revisiting home pages.

8. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Oosterholt et al (US: 2001/0008399), and in view of Nicolas et al (US: 6593944).

The modified system of Oosterholt et al as stated in claim 1 above failed to teach "WAP". However, Nicolas et al teach on column 11 line 39, WAP.

It would have been obvious to one skilled at the time the invention was made to modify Oosterholt et al to have the WAP as taught by Nicolas et al such that the modified system of Oosterholt et al would be able to support the system users to access different protocol enabled web pages.

### ***Conclusion***

9. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure.

- Bredow et al (US: 2003/0001866) teach method and computer product for a scrolling mouse to select pages of linked web pages.

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10. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

**Or faxed to Central FAX Number 703-872-9306.**

Patent Examiner

Art Unit 2645

Ming Chow



**FAN TSANG**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**